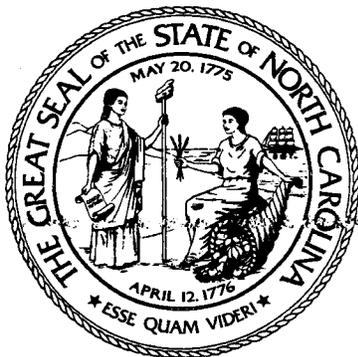


**THE AGRICULTURE AND FORESTRY  
AWARENESS STUDY COMMISSION**



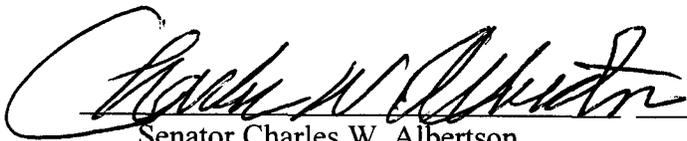
REPORT TO THE  
1997 SESSION  
OF THE GENERAL ASSEMBLY  
OF NORTH CAROLINA

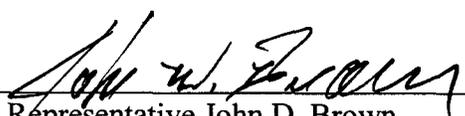
January 29, 1997

TO THE MEMBERS OF THE 1997 SESSION OF THE GENERAL ASSEMBLY:

The Agriculture and Forestry Awareness Study Commission herewith submits to you for your consideration its report.

Respectively Submitted,

  
Senator Charles W. Albertson

  
Representative John D. Brown

Cochairs  
Agriculture and Forestry Awareness  
Study Commission

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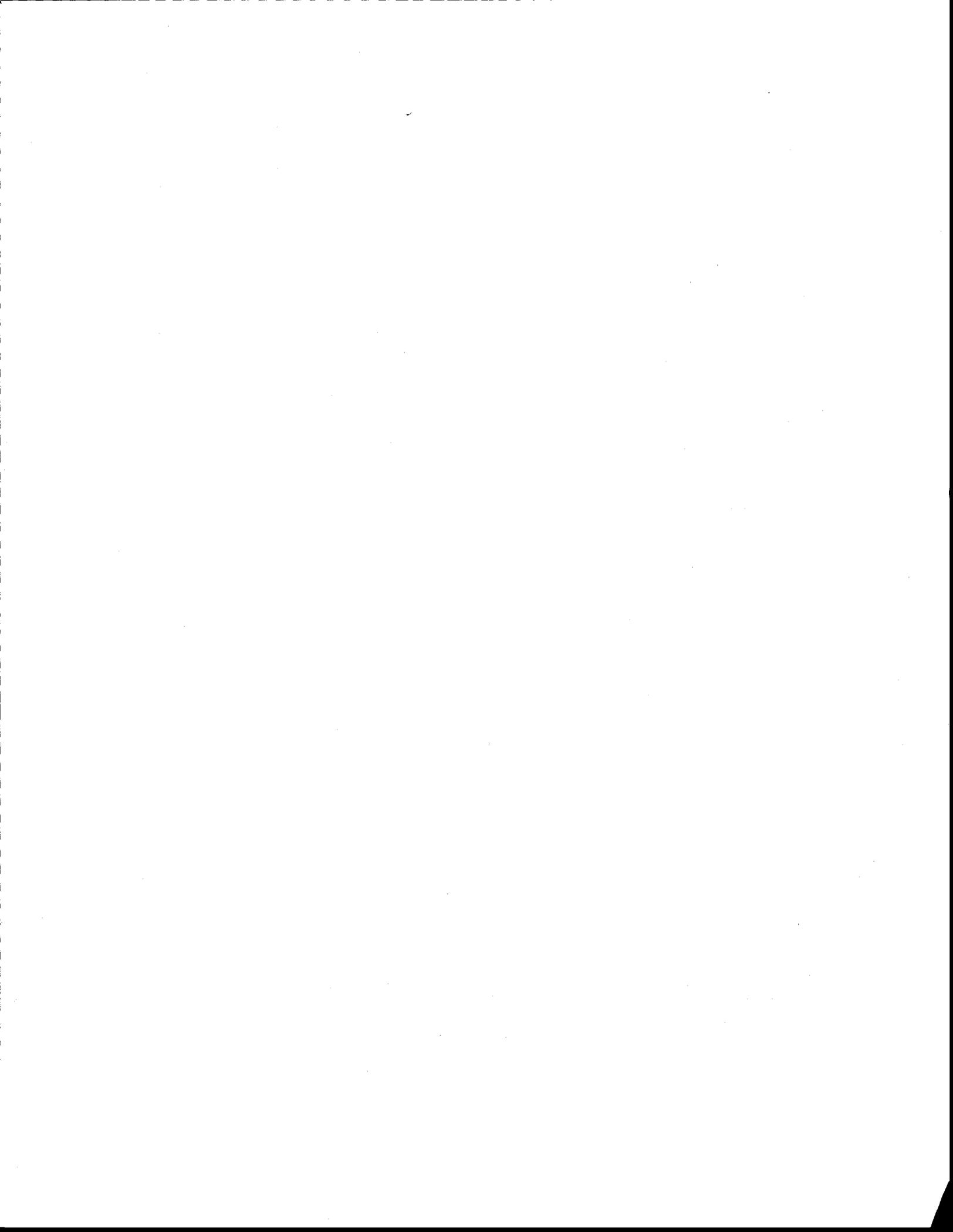
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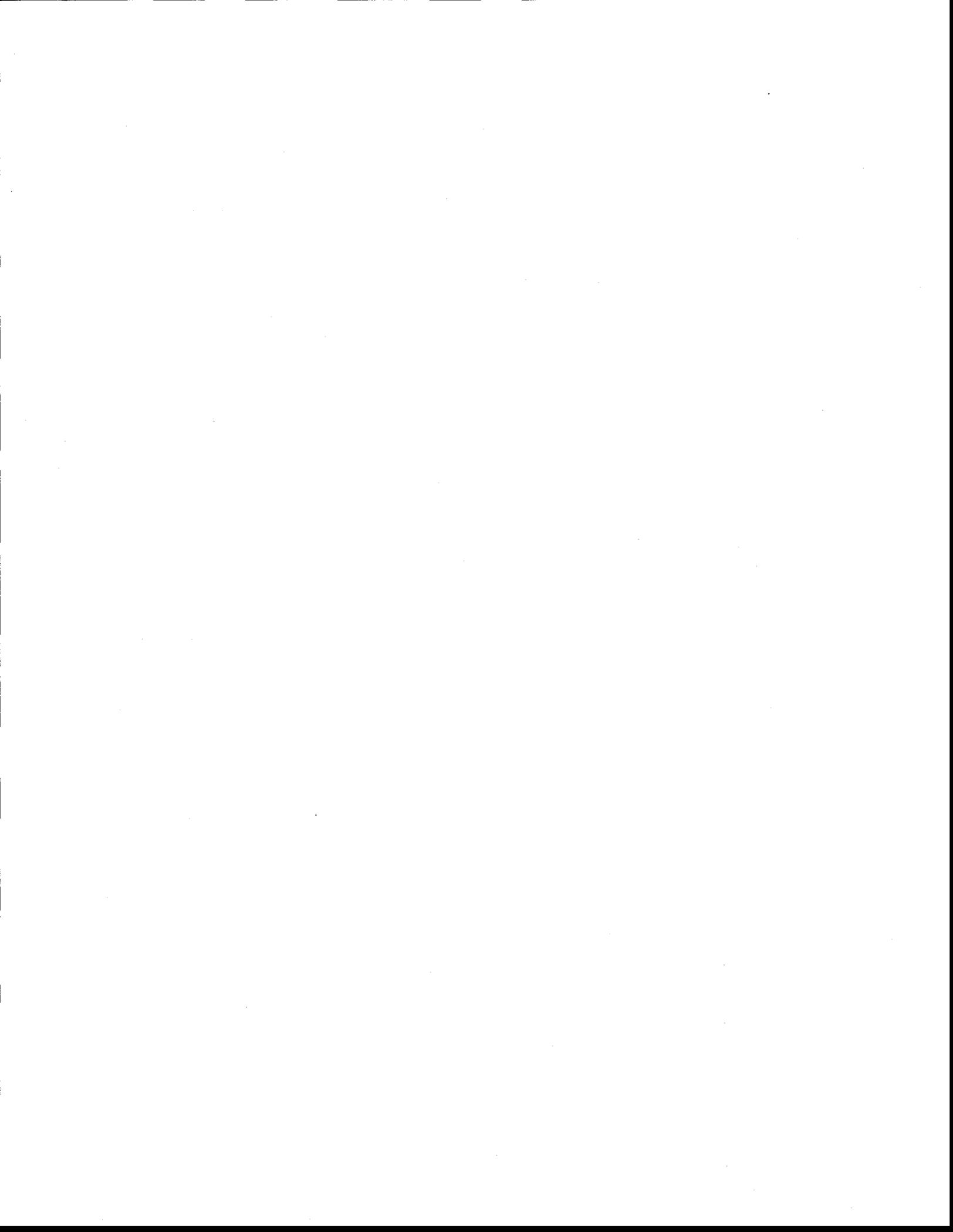
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# INTRODUCTION

## History of the Commission

The agriculture and forestry industries have always played an essential and vital role in supporting both the rural and urban populations of North Carolina. Over the past decade, all of these industries have experienced severe financial setbacks and instability due to inclement weather, pollution problems, inflation, reduction in foreign exports, and other unavoidable circumstances. In order to insure that the agriculture, forestry, and seafood industries maintained their ability to produce for future needs, the 1983 General Assembly enacted HB 1169 (Chapter 914, 1983 Session Laws) which created the Agriculture, Forestry, and Seafood Awareness Study Commission. The Commission was successful from 1983 through 1985 in making findings and recommendations for the industries of agriculture, forestry, and seafood. Based on this success, the 1985 General Assembly permanently established the Agriculture, Forestry, and Seafood Awareness Study Commission in the law (Chapter 792, 1985 Session Laws) so it could continue to study these three industries. In 1989, the General Assembly established the permanent Joint Legislative Commission on Seafood and Aquaculture in the law (Chapter 802, 1989 Session Laws) to concentrate on the State's production, processing, and marketing of seafood. With the creation of the Commission on Seafood and Aquaculture, the Agriculture, Forestry, and Seafood Awareness Study Commission began to focus more specifically on the needs of agriculture and forestry industries. Recognizing this change, the 1991 General Assembly, during the Regular Session 1992, passed legislation effective January 1, 1993 removing seafood from both the title and scope of study of the Commission.



### Commission's Charge

G.S. 120-154 authorizes the Agriculture and Forestry Awareness Study Commission to:

- \* Study the influence of agriculture and forestry on the economy of the State.
- \* Develop alternatives for increasing the public awareness of these industries.
- \* Study the present status of agriculture and forestry.
- \* Identify problems limiting the future growth and development of these industries.
- \* Develop an awareness of the importance of science and technological development to the future of these industries.
- \* Formulate plans for new State initiatives and support for agriculture and forestry, and for the expansion of opportunities in these industries.

These duties form the foundation of Agriculture and Forestry Awareness Study Commission's review of these industries and serve as a basis for its final recommendations.

### Commission's Membership

The membership of the Commission includes citizens of North Carolina who are interested in the vitality of the agriculture and forestry sectors of the State's economy. The Governor, the Lieutenant Governor, and the Speaker of the House of Representatives, each appoint three members to this 17 member commission. The following individuals also serve on the Commission:

- \* The Chair of the House Agriculture Committee.
- \* The Chair of the Senate Committee on Agriculture, Marine Resources, and Wildlife.
- \* The Commissioner of Agriculture, or his designee.
- \* A member of the Board of Agriculture.
- \* The President of the N.C. Farm Bureau, or his designee.
- \* The Master of the State Grange, or his designee.
- \* The Secretary to the Department of Environment, Health, and Natural Resources, or his designee.

- \* The President of the North Carolina Forestry Association, Inc., or his designee.

The Chair of the House Agriculture Committee and the Chair of the Senate Agriculture Committee serve as co-chairs of the Agriculture and Forestry Awareness Study Commission.

## COMMITTEE PROCEEDINGS

The Agriculture and Forestry Awareness Study Commission met three times from October 1996 through January 1997.. The Commission covered numerous topics ranging from the impact of Hurricane Fran on the agriculture and forestry resources of the State to the fiscal needs of the College of Agriculture and Life Sciences and the College of Forestry at North Carolina State University.

*October 15, 1996*

The first meeting of the Commission after the adjournment of the 1996 Regular Session was held on October 15, 1996. Mr. Coleman Doggett, Program Head, Pest Control, Division of Forest Resources, Department of Environment, Health, and Natural Resources gave a slide presentation on the damage to forest resources in the State caused by Hurricane Fran. The value of timber destroyed in the storm is estimated to be \$1,295,652,000. 51.6% of this timber was pine and 48.39% was hardwood. The most heavily damaged counties were Duplin, Johnston, Moore, Nash, Pender, Sampson, and Wake.

Dianne Parrish, Assistant Director of the Division of Forest Resources made the second presentation. She gave an overview of the Canadair CL-215 Tanker plane's potential as a firefighting tool in North Carolina. The State has over 200,000 homes that are at risk from forest fire and the number is increasing. Over the past 16 years the State has averaged 5,000 fires per year with the average total acreage lost of 48,000 acres. In extreme years, over 100,000 acres have burned. Natural disasters, such as Hurricane Hugo, and more recently Hurricane Fran, increase the risk of fires by felling great numbers of trees that become a large, volatile fuel mass. In recent years the State has had the opportunity to utilize the CL-215 planes during a portion of the fire season. Based upon historical data, the CL-215 has reduced acreage burned by 80% when used in the State. The Division now has an opportunity to purchase several refurbished planes from Canadair. 90% of the forested areas of the State are located within 25 miles of a suitable water body for operation of the planes so they would be utilized across the State. The estimated cost of purchasing three planes is 10 to 12 million dollars. Ms.

Parrish's presentation was followed by Don Weiller, Lenoir County Forester, who showed a video about the plane and spoke on the effectiveness of the plane as a firefighting tool.

The final speaker of the day was Mr. David McLeod, General Counsel, North Carolina Department of Agriculture. Mr. McLeod discussed briefly with the Commission the need to rewrite the agriculture laws codified in Chapter 106 of the General Statutes.

*December 3, 1996*

The December 3, 1996 meeting of the Commission began with a discussion of the Division of Motor Vehicles enforcement actions against logging and wood chip trucks in the western part of the State. A number of complaints had been received by legislators from loggers who believe that they are being singled out for enforcement action. Colonel Al Felton and Captain Tracy Keel of DMV attended the meeting to answer questions from the Commission. Colonel Felton indicated that 21% of the citations written were issued to wood haulers, 5% to building materials carriers, and 73% to the general public. He did not believe the numbers indicated an undue emphasis on the wood haulers. Mr. Buddy Conner, Vice President of Godfrey Lumber Company, Inc. of Statesville gave the Commission several examples of incidents at their lumberyard and noted that the copies of tickets and citations that he had in his possession did not support the information that Colonel Felton had presented to the Committee. He further commented that some of the DMV officers in the Statesville area had an attitude toward the wood haulers. Colonel Felton indicated that he wanted any inappropriate behavior on the part of any officer brought directly to his attention. Mr. Slocum recommended that the Commission consider addressing a resolution to the Governor's Highway Safety Council asking that DMV be directed to perform complimentary safety inspections.

The second speaker of the day was James Graham, Commissioner of Agriculture. Commissioner Graham stated that the Department of Agriculture's mission had changed over time and in addition to agriculture the Department also was responsible for food and drug testing, gasoline and gas pump inspection, scale and scanner testing, meat and poultry inspections and structural pest control. He asked that the Commission recommend to the 1997 General Assembly legislation that would change the name of the department to reflect its expanded mission. The new department name would be the North Carolina Department of

Agriculture and Consumer Services. The Commission voted to make the recommendation to the General Assembly.

The next item on the agenda was a report by Mr. Robert M. Murphy, State Statistician, NCDA, on the impact of Hurricane Fran on North Carolina agriculture. Mr. Murphy indicated that the damage was primarily in 50 of the 100 counties in the State. The total crop and livestock damage was valued at \$384,877,000. There are no State programs available to producers to cover these losses; assistance is available only on the federal level. Under the federal Catastrophic Risk Protection coverage, 60% of the insurable acreage in the State was covered and \$91 million in payout is expected under this program. Mr. Murphy ended his presentation by telling the Commission that after all the damage, North Carolina was still experiencing a normal to above normal year.

The final presentation of the day was made by Mr. Bill Sullivan. Mr. Sullivan spoke to the Commission about repealing G.S. 103-2, prohibiting hunting on Sunday. Mr. Sullivan stated that repealing this provision of the General Statutes would benefit the State's economy and generate jobs in agricultural areas of the State. He noted that at least 12 State's, primarily in the northeast, allow hunting on Sunday.

*January 14, 1997*

The Commission held its final meeting of the biennium on January 14, 1997. At this meeting the Commission again discussed the issue of DMV citations against wood hauling trucks. Colonel Felton again appeared before the Commission to present data on the numbers of citations issues and the types of vehicles involved. Colonel Felton further indicated that DMV was planning to implement a program of courtesy inspections as was proposed at the last meeting. The inspection program would be implemented through the existing "Share the Road" program. DMV would seek to clear this with the Federal Highway division and, if approved, would conduct courtesy inspections one day a month in an announced location. The inspections would be available to any commercial vehicle.

The second presentation of the day was made by June Brotherton, Assistant to the Chancellor, North Carolina State University. Ms. Brotherton spoke about the University's budget priorities for the 1997 Session of the General Assembly and sought the Commission

support for their requests, especially for agricultural programs. In particular, the University is seeking the elimination of the required reversion of 2% of state appropriations, the elimination of the required transfer of 10% of overhead receipts, faculty salary enhancements, and \$108 million dollars in capital improvements. Dr. Johnny Wynne, Assistant Dean and Director of the North Carolina State University Agricultural Research Service, also addressed the Commission on the particular needs of the agricultural programs. The item of utmost importance to the agriculture program is a \$3.1 million dollar package of equity funds for the agriculture faculty. The legislature during the 1995-1996 biennium approved salary increases for faculty funded through the 030 academic programs budget. Because of the 030 limitation, however, the Agricultural Research Service and Cooperative Extension faculty (031 and 032 budget) were not eligible for the increases. To address the problem, the College of Agriculture and Life Sciences funded increases for the 031 and 032 faculty out of its program budget. The Additional monies were approved for faculty salary increases in 1996, but again, the 031 and 032 faculty were excluded from participation. The Agriculture Research Service borrowed money from the University administration to fund equitable increases and the Cooperative Extension Service utilized money from federal carry over funds. The \$3.1 million in recurring funds is what would be required to retain the the 1996-1997 salary increases for faculty in the Agriculture Research Service and Cooperative Extension Service.

The next speaker was Julian Philpott, General Counsel for the North Carolina Farm Bureau, Inc., and Commission member. He requested that the Commission include in its final report a recommendation that the General Assembly again consider legislation targeting pine straw theft. Mr. Philpott's motion was accepted and the Commission agreed to include in its report a proposal to establish the offense of trespass on pine straw land.

Finally, Commission Counsel reviewed the Commission's proposed report to the 1997 General Assembly. The Commission voted to accept the report and forward its recommendations to the legislature.

## FINDINGS AND RECOMMENDATIONS

1. The Commission endorses the 1997-1999 budget requests for North Carolina State University. See Appendix C.

2. The Commission finds that Chapter 106 of the General Statutes contains a number of sections that are redundant, obsolete, or in some cases contradictory and that the Department, in conjunction with the Commission should consider a rewrite of the Chapter. As a starting point, there are a number of sections within Chapter 106 that are obviously obsolete and should be repealed. Therefore, the Commission recommends that the General Assembly enact Legislative Proposal I, **A BILL TO BE ENTITLED AN ACT TO REPEAL OBSOLETE SECTIONS OF CHAPTER 106 OF THE GENERAL STATUTES.** (See Appendix D).

3. The Commission finds that pine needle producers suffer serious economic loss each year due to the theft of pine straw from production areas. Existing laws make it difficult to prosecute those involved with the theft. Persons must be apprehended in the act. The fungibility of the product is such that once removed from the production area, its source and ownership cannot be determined. Further, under existing law, there is no way law enforcement officials can determine whether individuals seen collecting pine straw are doing so legitimately. Legislation is needed that would make trespass on posted pine needle production land without written permission a misdemeanor and would make larceny of pine straw a Class H felony. The Commission therefore, recommends that the General Assembly enact Legislative Proposal II, **A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE OFFENSES OF TRESPASS ON PINE STRAW PRODUCTION LAND AND LARCENY OF PINE STRAW.** (See Appendix D).

4. The Commission finds that the CL-215 airtanker is an valuable firefighting tool and is needed in this State for the protection of life and property. Operation of the aircraft in the State under a lease program has resulted in an 80% reduction in acreage burned while the planes

where in use. Acquisition of these aircraft would significantly reduce the loss of valuable timber and homes. The Commission therefore recommends that the General Assembly enact Legislative Proposal III **A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PURCHASE, OPERATION, AND MAINTENANCE OF THE CANADAIR CL-215 FIREFIGHTING AIRCRAFT.** (See Appendix D)

5. The Commission finds that the North Carolina Department of Agriculture has broadened the scope of the services it provides to the citizens of the State. In addition to serving the agricultural community, the NCDA also provides food and drug testing, monitoring of gasoline and gas pumps, checking the accuracy of scales and scanners, and inspection of meat and poultry. Therefore, at the request of the Department, this Commission recommends that the General Assembly enact legislation to change the name of the Department to the North Carolina Department of Agriculture and Consumer Services (The text of the proposed legislation has been omitted from this report due to its length.)

6. The Commission anticipates that in the coming biennium it will continue to confront a wide range of issues of import to the agriculture and forestry communities. These issues include the regulation of agricultural practices, especially in the area of animal agriculture, resource conflicts as rural areas become increasingly urbanized, and the many issues of forest sustainability including forest fragmentation, management, regeneration, and research. In addition, NCDA has approached the Commission for its assistance with a rewrite of Chapter 106 of the General Statutes. The Commission, therefore, is specifically seeking funding in the amount of \$25,000 for the 1997-1998 biennium and recommends that the General Assembly enact Legislative Proposal IV, **A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION.** (See Appendix D).

## APPENDIX A

### ARTICLE 19.

#### Commission on Agriculture, Forestry, and Seafood Awareness.

##### § 120-150. Creation; appointment of members.

There is created an Agriculture and Forestry Awareness Study Commission. Members of the Commission shall be citizens of North Carolina who are interested in the vitality of the agriculture and forestry sectors of the State's economy. Members shall be as follows:

- (1) Three appointed by the Governor;
- (2) Three appointed by the President Pro Tempore of the Senate;
- (3) Three appointed by the Speaker of the House;
- (4) The chairman of the House Agriculture Committee;
- (5) The chairman of the Senate Agriculture Committee;
- (6) The Commissioner of Agriculture or his designee;
- (7) A member of the Board of Agriculture designated by the chairman of the Board of Agriculture;
- (8) The President of the North Carolina Farm Bureau Federation, Inc., or his designee;
- (9) The Master of the North Carolina State Grange or his designee;
- (10) The Secretary of the Department of Environment, Health, and Natural Resources or his designee; and
- (11) The President of the North Carolina Forestry Association, Inc., or his designee.

Members shall be appointed for two-year terms beginning October 1 of each odd-numbered year. The cochairmen of the Commission shall be the chairmen of the Senate and House Agriculture Committees respectively. (1985, c. 792, s. 20.1; 1989, c. 727, s. 218(81); 1989 (Reg. Sess., 1990), c. 1004, s. 19(b); 1991 (Reg. Sess., 1992), c. 785, s. 1; 1993, c. 23; 1995, c. 490, s. 5.)

##### § 120-151. Advisory Committee.

Upon proper motion and by a vote of a majority of the members present, the Commission may appoint an Advisory Committee. Members of the Advisory Committee should be from the various organizations, commodity groups, associations, and councils representing agriculture and forestry. The purpose of the Advisory Committee shall be to render technical advice and assistance to the Commission. The Advisory Committee shall consist of no more than 20 members plus a chairman who shall be appointed by the cochairmen of the Commission. (1985, c. 792, s. 20.1; 1991 (Reg. Sess., 1992), c. 785, s. 2.)

##### §120-152. Subsistence and travel expenses.

The members of the Commission who are members of the General Assembly shall receive subsistence and travel allowances at the rate set forth in G.S. 120-3.1. Members who are officials or employees of the State of North Carolina shall receive subsistence and travel allowances at the rate set forth in G.S. 138-6. All other members plus the Chairman of the Advisory

Committee shall be paid the per diem allowances at the rates set forth in G.S. 138-5. Other members of the Advisory Committee shall serve on a voluntary basis and not receive subsistence and travel expenses. (1985, c. 792, s. 20.1.)

**§120-153. Facilities and staff.**

The Commission may hold its meetings in the State Legislative Building with the approval of the Legislative Services Commission. The Legislative Services Commission shall provide necessary professional and clerical assistance to the Commission. (1985, c. 792, s. 20.1.)

**§ 120-154. Duties.**

The Commission shall bring to the attention of the General Assembly the influence of agriculture and forestry on the economy of the State, develop alternatives for increasing the public awareness of agriculture and forestry, study the present status of agriculture and forestry, identify problems limiting future growth and development of the industry, develop an awareness of the importance of science and technological development to the future of agriculture and forestry industries, and formulate plans for new State initiatives and support for agriculture and forestry and for the expansion of opportunities in these sectors.

In conducting its study the Commission may hold public hearings and meetings across the State.

The Commission shall report to the General Assembly at least one month prior to the first regular session of each General Assembly.

Appendix B  
AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION  
MEMBERSHIP  
1995-1996

**House Agriculture Committee Chair**

Representative John W. Brown  
2297 Austin Trap Hill Road  
Elkin, NC 28621  
910-835-2373

**Speaker's Appointments**

Representative Arlie F. Culp  
8521 U.S. Highway 64 East  
Ramseur, NC 27316  
910-824-2218

Mr. W. M. Lewis  
P.O. Box 330  
West Jefferson, NC 28694

Representative John Weatherly  
142 Quail Hollow Drive  
Kings Mountain, NC 28086  
704-487-0039

**Senate Agriculture Committee Chair**

Senator Charles W. Albertson  
136 Henry Dunn Pickett Road  
Beulaville, NC 28518  
910-298-4223

**Lt. Governor's Appointments**

Mr. Vernon James  
Route 4, Box 251  
Elizabeth, NC 27909  
919-330-4394

Mr. Prince Earl Smith  
P.O. Box 18  
6222 Burlington Road  
Sandalia, NC 27342  
919-449-4981

Senator James Speed  
Rt. 6, Box 542  
Louisburg, NC 27549  
919-853-2167

**Governor's Appointments**

Mr. David L. Burns  
1204 Shepherd Avenue  
Laurinburg, NC 28352  
919-462-2122

Mr. Robert Eric "Rick" Harrell  
408 Confederate Lane  
Windsor, NC 27983  
919-348-4326

Ex Officio

Commissioner James Graham  
Dept. of Agriculture  
2 West Edenton Street  
Raleigh, NC 27601-1200  
919-733-7125

Mr. John Cyrus  
(NC State Grange)  
3300 Woodward Place  
Raleigh, NC 27607  
919-782-6840

Mr. C. Osmond "Ossie" Kearney, Jr.  
Route 3, Box 157  
Snow Hill, NC 28580  
919-747-5054

Mr. Stan Adams  
Dept. of EHNR  
512 N. Salisbury Street  
Raleigh, NC 27604-1148  
919-733-4984

Mr. Robert W. Slocum, Jr.  
Executive Vice President  
N.C. Forestry Association  
Suite 1  
1600 Glenwood Avenue  
Raleigh, NC 27608  
919-834-3943

Mr. Julian Philpott  
N.C. Farm Bureau Federation  
P.O. Box 27766  
Raleigh, NC 27611  
919-782-1705

Staff: Ms. Barbara Riley  
Legislative Division/Legislative Services Office  
(919) 733-2578

Clerk: Anna P. Kidd  
1328 Kings Grant Drive  
Raleigh, NC 27614  
(919) 847-3789

# NC State University

## 1997-99 Budget Requests

### Expansion Budget Priorities

<i>Academic Affairs Budget</i>	1997-98	1998-99
1. Eliminate required reversion of 2% of state appropriations (No new monies required; already in NC State budget)	\$4.3 mil.	\$4.3 mil.
2. Eliminate required transfer of 10% of overhead receipts (No new monies required; already in NC State budget)	\$1.5 mil.	\$1.5 mil.
	<u>          </u>	<u>          </u>
	\$5.8 mil.	\$5.8 mil.

### *Agricultural Programs Budget*

3. Program enhancements — faculty salary equity & support	\$3.1 mil.	\$3.1 mil.
4. Eliminate required reversion of 2% of state appropriations (No new monies required; already in NC State budget)	\$1.6 mil.	\$1.6 mil.
	<u>          </u>	<u>          </u>
	\$4.7 mil.	\$4.7 mil.

### Capital Improvement Budget Priorities

	Amount Requested	Reason
1. Nelson Hall Renovation — Phase I	\$8.3 mil.	Inc. current capacity
2. Toxicology Facility — Centennial Campus	\$14.6 mil.	Inc. current capacity
3. Research & Teaching Feed Mill	\$2.6 mil.	Special purpose
4. Undergraduate Science Teaching Lab — Phase I	\$21.9 mil.	Inc. program quality
5. Riddick, Mann, Daniels & Burlington Hall Renovations	\$8.6 mil.	Inc. program quality
6. College of Veterinary Medicine Main Building Addition	\$24 mil.	Inc. current capacity
7. David Clark Laboratories Addition & Renovation	\$10 mil.	Inc. current capacity
8. Undergraduate Instructional Building	\$18 mil.	Inc. future capacity
	<u>          </u>	
	\$108 mil.	

*For additional information, contact: Larry K. Monteith, Chancellor or June M. Brotherton, Executive Assistant to the Chancellor, NC State University at 919/515-2191*

### ***Eliminate required reversion of 2% of state appropriations***

Monies would be used to:

- develop master classrooms with state-of-the-art instructional technologies
- train faculty to use new instructional technologies
- extend access to NC State information and resources through the information highway
- benchmark program costs and reallocate resources accordingly
- altering space to accommodate new program needs
- fund pilot programs in student-directed information-rich mode of learning to replace less effective programs
- increase successful pilot tutorial programs in mathematics and chemistry to other academic program areas
- provide initial support to research projects to develop results necessary to attract outside funding

### ***Eliminate required transfer of 10% of overhead receipts***

Monies would be used to:

- provide start-up support for new faculty
- comply with changing federal and state environmental rules and regulations for toxic chemical handling, hazardous waste disposal and Lot 86 near Carter-Finley Stadium
- provide adequate cost-sharing on new contracts and grants, or to jointly fund expensive, specialized equipment with a grant agency
- continue development of a real-time, interactive Grants Application and Awards System
- meet the rapidly growing needs for additional space for research on the NC State campus, which cannot be met by state appropriations alone

# NC State University

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## Agricultural Programs

### *Agricultural Research & Extension Equity Funds*

**Background.** In 1995, the Legislature approved a tuition increase of \$400 per student at the state's two research universities — NC State and UNC-Chapel Hill. NC State used its additional tuition monies to increase the amount of financial aid available to students and to improve the academic and research capability of the NCSU libraries, which then ranked 101 out of 107 research libraries. During the 1996 Short Session, legislators voted to match the tuition increase for NC State and UNC-CH with \$17 million in academic enhancement monies. Because experience and recent salary surveys had shown that NC State was not competitive with its peers in faculty salaries, NC State administrators used its \$8.7 million share of those funds to increase its ability to recruit and retain top-notch faculty. However, the manner in which the funds were allocated to NC State prevented all faculty from having an equal opportunity to receive the merit-based awards.

**Situation.** Agricultural Research Service and Cooperative Extension Service faculty paid through the Agricultural Programs budget of the university have not been treated equitably in the determination of eligibility for special faculty salary adjustments. In the 1995-96 fiscal year, the Legislature approved an additional salary adjustment — in addition to the across-the-board salary adjustments for all state employees — for teaching faculty paid through the 030 Academic Programs budget code at the two research universities. As a result, Agricultural Research Service and Cooperative Extension Service faculty who were paid through the 031 and 032 budgets, respectively, were not eligible. To address the inequity of this situation and to retain critical faculty working in environmental, animal and crop production, biotechnology, bioprotection and other areas critical to the economic development of the state, the College of Agriculture and Life Sciences implemented program budget cuts and reallocated the monies so their faculty could be eligible for the same salary adjustments as their Academic Programs-paid peers.

From the 1996-97 Short Session, all state employees received a 4.5% salary increase, which was supplemented by an additional 0.5% increase for Academic Programs faculty (030 budget code) at the universities. CALS administration reallocated funds to permit all research and extension faculty paid through the 031 and 032 budgets to receive the additional 0.5% salary increase.

When NC State received the \$8.7 million in tuition match funds, these monies were not awarded to faculty in an across-the-board increase. Rather, the funds were to be awarded selectively based upon special criteria. Once again, Agricultural Research Service and Cooperative Extension Service faculty were excluded because their salaries were funded through the 031 and 032 budget codes. Since no funds were available for this purpose, the Cooperative Extension Service funded the increases for its faculty from one-time federal carry-over funds until July 1, 1997. The Agricultural Research Service was forced to borrow the funds temporarily from the university administration to fund increases for its faculty until July 1, 1997.

**Need.** The amount of funds required to retain the 1996-97 academic enhancement increase, \$3.1 million, cannot be absorbed on a recurring basis by CALS. *NC State's Agricultural Programs Budget needs \$3.1 million in recurring funds to replace the one-time monies funding the 1996-97 equity adjustments*, or further major program cuts will be necessary. Any additional cuts of this magnitude would jeopardize the college's leadership position in agricultural and environmental research and extension and the high-quality faculty who provide the foundation for that leadership position. These programs of research and extension are unique in the state, and with the environmental and economic challenges currently facing the state, these valuable programs — and the faculty who lead them — cannot afford to be weakened.

**Contact:** Chancellor Larry K. Monteith or Assistant to the Chancellor June M. Brotherton at 515-2191, or Dean Durward Bateman, College of Agriculture and Life Sciences, at 515-2668.





# EXPLANATION OF LEGISLATIVE PROPOSAL I

## PROPOSED CHANGES TO CHAPTER 106 OF THE GENERAL STATUTES

<u>G.S.</u>	<u>Subject Matter</u>	<u>Proposed Action</u>	<u>Remarks</u>
106-5	Provides for committees of the Board of Agriculture	Repeal	Obsolete & unnecessary
106-9	Requires annual report from Board of Agriculture	Repeal	Obsolete-superseded by Executive Budget Act
106-12	Provides for appointment of employees by Commissioner of Agriculture	Repeal	Obsolete
106-13	Commissioner of Agriculture to investigate sources of fertilizer	Repeal	Obsolete-superseded by Fertilizer Law
106-15 thru 106-18	Provides for purchase and sale of research farms •	Repeal	Obsolete
106-19	Provides for State Chemist	Repeal	Obsolete
106-169 thru 106-173	Provides for local meat inspection	Repeal	Obsolete-superseded by other laws
106-197	Requires grower's or shipper's name on produce	Repeal	Obsolete-superseded by G.S. 81A-27 & Federal Fair Packaging & Labeling Act
106-429.1 thru 106-434, thru 106-451.1	Cotton warehouse law enacted in 1919	Repeal	Obsolete-superseded by 1987 Cotton Warehouse Act, Art. 38A

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

D

SENATE DRS6510\*-RFZ01(1.30)

Short Title: Trespass/Theft of Pine Straw.

(Public)

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Sponsors: Senator Albertson.

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Referred to:

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1 A BILL TO BE ENTITLED  
2 AN ACT TO ESTABLISH THE OFFENSES OF TRESPASS ON PINE STRAW  
3 PRODUCTION LAND AND LARCENY OF PINE STRAW.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. The title of Article 22A of Chapter 14 of the General Statutes  
6 reads as rewritten:  
7 "ARTICLE 22A.  
8 Trespassing upon 'Posted' Property to Hunt,  
9 ~~Fish or Trap.~~ Fish, Trap, or Remove Pine Needles/Straw."  
10 Section 2. G.S. 14-159.6 reads as rewritten:  
11 "**§ 14-159.6. Trespass for purposes of hunting, etc., without written consent a**  
12 **misdemeanor.**  
13 (a) Any person who willfully goes on the land, waters, ponds, or a legally  
14 established waterfowl blind of another upon which notices, signs or ~~posters, described~~  
15 ~~in G.S. 14-159.7, posters~~ prohibiting hunting, fishing or ~~trapping, trapping have been~~  
16 placed in accordance with the provisions of G.S. 14-159.7, or upon which 'posted'  
17 notices have been placed, placed in accordance with the provisions of G.S. 14-159.7,  
18 to hunt, fish or trap without the written consent of the owner or his agent shall be  
19 guilty of a Class 2 misdemeanor. Provided, further, that no arrests under authority of  
20 this ~~section~~ subsection shall be made without the consent of the owner or owners of  
21 said land, or their duly authorized agents in the following counties: Halifax and  
22 Warren.  
23 (b) Any person who willfully goes on the land of another upon which notices,  
24 signs, or posters prohibiting raking or removing pine needles or pine straw have been  
25 placed in accordance with the provisions of G.S. 14-159.7, or upon which 'posted'

1 notices have been placed in accordance with the provisions of G.S. 14-159.7, to rake  
2 or remove pine needles or pine straw without the written consent of the owner or his  
3 agent shall be guilty of a Class 1 misdemeanor for the first offense, and of a Class I  
4 felony for second or subsequent offenses."

5           Section 3. Article 16 of Chapter 14 of the General Statutes is amended  
6 by adding a new section to read:

7 "§ 14-79.1. Larceny of pine needles or pine straw.

8 If any person shall take and carry away, or shall aid in taking or carrying away,  
9 any pine needles or pine straw being produced on the land of another person with  
10 the intent to steal the pine needles or pine straw, that person shall be guilty of a Class  
11 H felony."

12           Section 4. This act becomes effective January 1, 1997, and applies to  
13 offenses committed on or after that date.

## EXPLANATION OF LEGISLATIVE PROPOSAL II

Legislative Proposal II would create criminal offenses for trespassing upon the posted lands of another to rake or remove pine straw without permission, and for stealing or aiding in the stealing of pine straw.

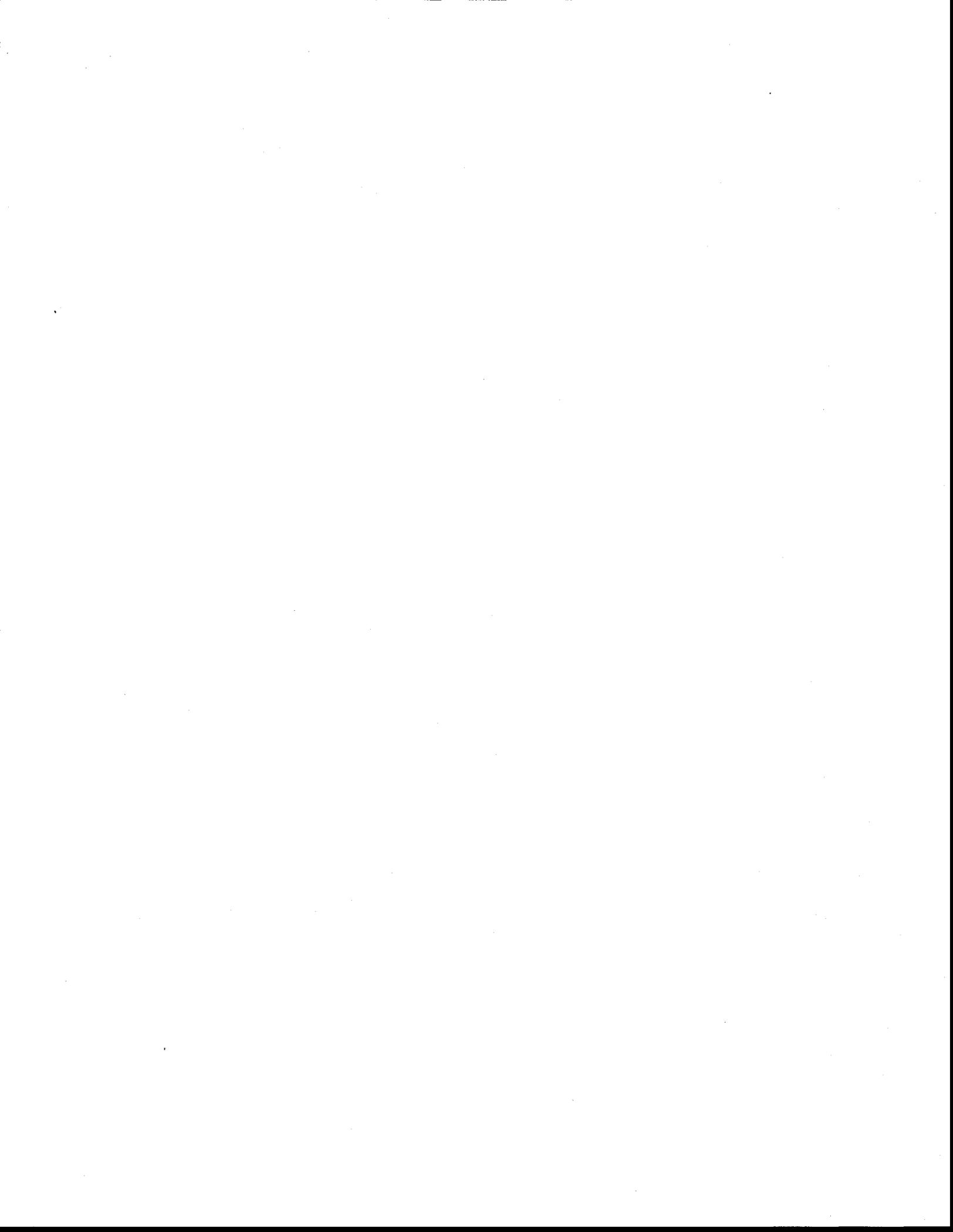
Section 1 of the bill rewrites the title of Chapter 22A to reflect the new offense of Trespass to Remove Pine Needles.

Section 2 of the bill would amend G.S. 14-159.6 to make it unlawful to go upon the lands of another, that have been posted with signs prohibiting raking or removing pine straw, or that have been posted generally against trespassing, to rake or remove pine straw. Notices would have to be posted in accordance with G.S. 14-159.7 which specifies the size of the notice and where on the property the notices have to be posted.

Punishment for the first offense of trespassing to rake or remove pine straw would be a Class 1 misdemeanor, and the second offense would be punished as a Class I felony. This punishment would be more severe than trespassing on lands posted for other purposes (hunting, fishing, or trapping - Class 2 misdemeanor; general posting trespass - Class 3 misdemeanor).

Section 3 creates a separate offense for larceny of pine straw, or aiding in the larceny of pine straw. Any person who takes and carries away, or helps take or carry away, pine straw with the intent to steal is guilty of a Class H felony. This statute would add pine straw to a list of other crops (ungathered crops - G.S. 14-78; ginseng - G.S. 14-79), the theft of which is punished as a Class H felony.

This bill would become effective January 1, 1998.



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S/H

D

LEGISLATIVE PROPOSAL III  
THIS IS A DRAFT 31-JAN-97 15:00:54

Short Title: Forest Fire Aircraft Funds

(Public)

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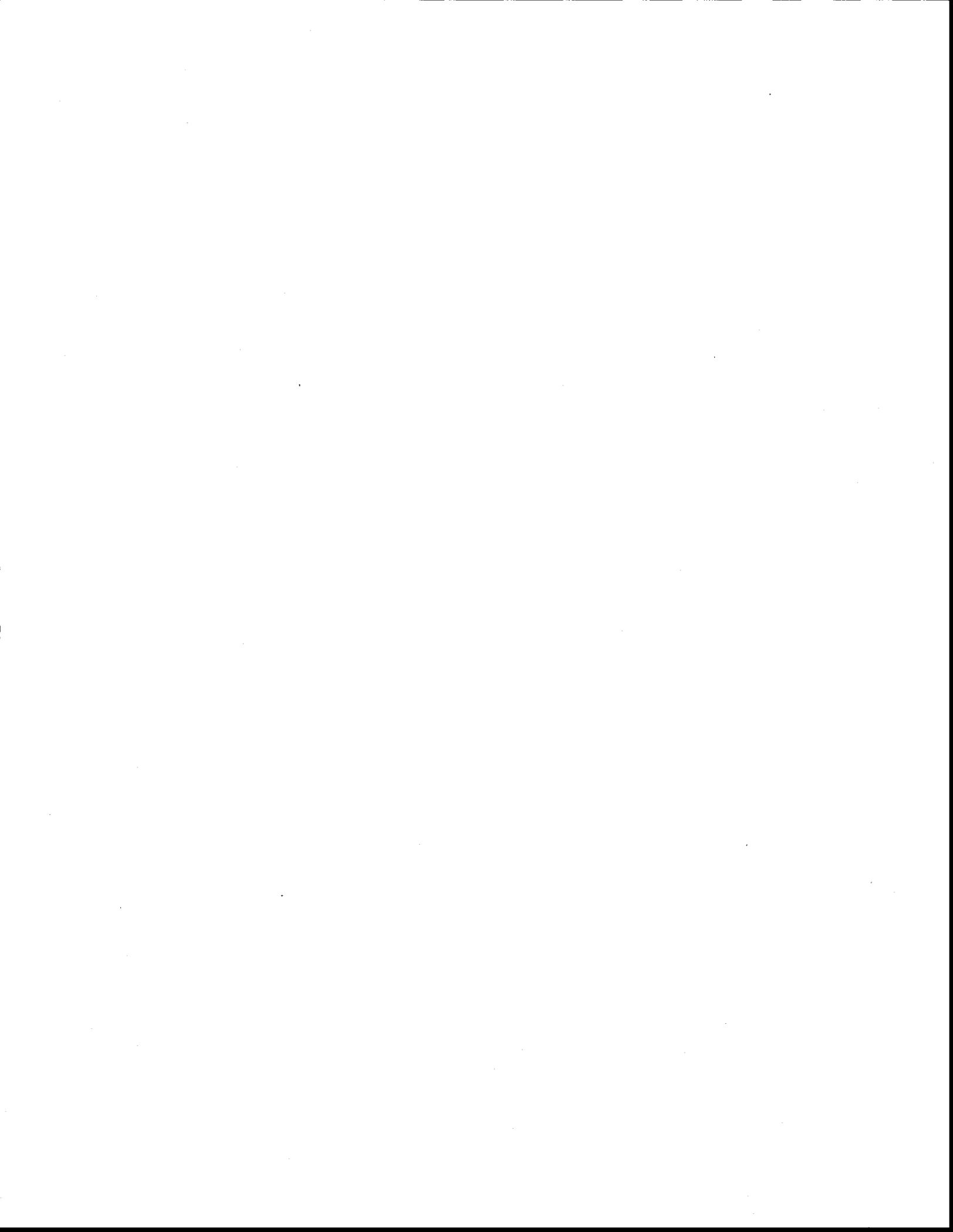
Sponsors:

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Referred to:

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1                                   A BILL TO BE ENTITLED  
2 AN ACT TO APPROPRIATE FUNDS FOR THE PURCHASE OF FOREST FIRE  
3     AIRCRAFT  
4 The General Assembly of North Carolina enacts:  
5             Section 1. There is appropriated from the General Fund  
6 to the Department of Environment, Health, and Natural Resources,  
7 Division of Forest Resources, the sum of twelve million dollars  
8 (\$12,000,000) for the 1997-1998 fiscal year for the purchase of  
9 three Canadair CL-215 fire-fighting aircraft.  
10            Sec. 2. This act becomes effective July 1, 1997.



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S/H

D

LEGISLATIVE PROPOSAL IV  
THIS IS A DRAFT 31-JAN-97 12:25:42

Short Title: Funds for Ag and Forestry Study Comm. (Public)

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Sponsors:

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Referred to:

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1                                   A BILL TO BE ENTITLED  
2 AN ACT TO APPROPRIATE FUNDS FOR THE AGRICULTURE AND FORESTRY  
3 AWARENESS STUDY COMMISSION  
4 The General Assembly of North Carolina enacts:  
5           Section 1. There is appropriated from the General Fund  
6 to the North Carolina General Assembly the sum of twenty-five  
7 thousand dollars (\$25,000) for the fiscal year 1997-1998 to be  
8 used to fund the activities of the Agriculture and Forestry  
9 Awareness Study Commission.  
10          Sec. 2. Funds remaining at the end of the 1997-1998  
11 fiscal year shall not revert but shall remain available to the  
12 Commission for fiscal year 1998-1999.  
13          Sec. 3. Section 1 of this act becomes effective July 1,  
14 1997. Section 2 of this act becomes effective June 30, 1998.  
15